

DEC 23 2005

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

JOHN (JACK) ANGELLO,	)	Civil Action No. 03-0014
	)	
Plaintiff	)	
	)	
v.	)	ORDER TAKING TRIAL
	)	OFF-CALENDAR and
NORTHERN MARIANAS	)	RE-OPENING DISCOVERY
COLLEGE,	)	FOR LIMITED PURPOSE
	)	
Defendant	)	
_____	)	

THIS MATTER came before the court in chambers on Friday, December 23, 2005. Plaintiff appeared by and through his attorney, Danilo T. Aguilar; defendant appeared by and through its attorney, F. Matthew Smith.

After discussion with the parties, the court concludes that the interests of justice and judicial economy will best be served by vacating the Tuesday, December 27, 2005, trial date. An issue which will materially advance the instant lawsuit is

1 presently under submission at the Commonwealth Supreme Court. The issue---  
2 whether or not employees of Northern Mariana College fall under the auspices of  
3 the Civil Service Commission---is an important one for the Commonwealth. This  
4 court believes that the Commonwealth Supreme Court should be given the  
5 opportunity to speak on the issue, that that court's decision will significantly narrow  
6 the triable issues in this lawsuit, and may improve settlement prospects. NOW,  
7  
8 THEREFORE,

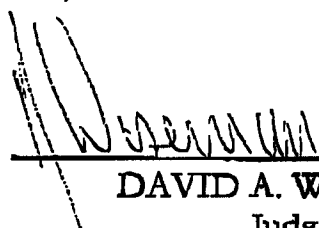
9  
10 IT IS ORDERED that the trial set to begin Tuesday, December 27, 2005, be  
11 and hereby is taken off-calendar, to be rescheduled at a later date; and,

12  
13 IT IS FURTHER ORDERED that discovery is re-opened for the limited  
14 purpose of taking depositions to preserve testimony for use at trial. Such  
15 depositions may be used at trial pursuant to Fed.R.Civ.P. 32. The parties shall meet  
16 and confer to take the depositions.  
17

18 The court will issue a separate order setting a status conference in February,  
19 2006.  
20

21 IT IS SO ORDERED.

22 DATED this 23rd day of December, 2005.

23  
24  
25   
26 DAVID A. WISEMAN  
Judge